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FILED United States Court of Appeals

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

March 8, 2013

Tenth Circuit

Elisabeth A. Shumaker Clerk of Court

EZEKIEL DAVIS,

Plaintiff - Appellant,

v.

CARL BEAR, Warden's Assist; CAPTAIN DUTY, Correctional Officer; CAPTAIN HENDERICKS, Correctional Officer; LIEUTENANT BARBER, Correctional Officer; TATE, Chief of Security; TRACY McCOLLUM, Acting Warden; PAULA BETHEA, Law Librarian; JOHNNY BLEVINS, Internal Affairs Admin; STEFANIE LAWSON, Assist AG,

No. 13-6049 (D.C. No. 5:12-CV-00330-HE)

Defendants - Appellees.

ORDER

Appellant's motion to dismiss is granted. 10th Cir. R. 27.3(A)(9).

A certified copy of this order shall stand as and for the mandate of the court.

Entered for the Court

ELISABETH A. SHUMAKER, Clerk

Elisabeta a. Shumaki